

VARIANCE / SPECIAL USE REQUIREMENTS
Hamilton County Board of Zoning Appeals

- Discuss procedure with staff and obtain application packet.
- Completed application and all supporting documentation is to be submitted no less than 30 business days prior to the date of the hearing.

Supporting documentation includes:

- One (1) copy of recorded deed for property with a full legal description of the property.
- 12 copies (for ordinance requirement) 18 copies (for land use or special use variance) of the Site Plan showing outline of property and all existing features and buildings along with proposed changes to property requiring the Variance. Please fold to 8 ½ by 11 for mailing.
- 12 copies (for ordinance requirement) 18 copies (for land use or special use variance) plans, drawings, sketches, photos, elevations that will help explain the variance. Please fold to 8 ½ by 11 for mailing.
- 12 copies (for ordinance requirement) 18 copies (for land use or special use variance) of the Petitioner's Findings which is a list of reasons why the Board should approve the variance. Please fold to 8 ½ by 11 for mailing.
- One (1) CERTIFIED list of adjacent and abutting property owners two properties deep or 600 feet whichever is less. Certified list is to be obtained from the Hamilton County Auditor Tax Map Office; must be no more than 30 days old; subject property shall include ALL contiguous and bi-contiguous property (including across the road, easements, bodies of water, etc.) owned by the current property owner.

In addition, if your property abuts another county, you will need to obtain a CERTIFIED list of the adjacent and abutting property owners two properties deep or 600 feet whichever is less from that county's Auditors office. List must be no more than 30 days old. Subject property shall include ALL contiguous and bi-contiguous property (including across the road, easements, bodies of water, etc.) owned by the current property owner.

It may take five to seven days to obtain these lists.

- Sign and date the "Legal Notice" page.

BZA and Plan Commission projects will be processed in the date stamped order they are received. You will be contacted by phone when it is time to come in and pick up and pay for your variance or if additional information is required.

- Once contacted you will need to bring in two checks. One for \$55.00 made out to Express Graphics as a deposit for the sign you will be required to post on the property seeking the variance. The other check will be made out to the Hamilton County Plan Commission for the cost of the application.
- You will be given a copy of the Legal Notice and the full legal description of the property to be published in The Times newspaper.
 - The Times is located at 641 Westfield Road, Noblesville, Indiana. It is behind the Long John Silver's restaurant in the old Replay Building on State Road 32 just west of the hospital. Phone number 317-770-9372. That paper publishes daily.
- You are required to mail by certified/return receipt mail a copy of the Legal Notice and the full legal description of the property to each person identified on the property adjoiner list no less than 20 days prior to the date of the hearing but not including the day of the hearing. Please be sure to address the certified receipt and the return receipt card exactly as shown on the property adjoiner list. (((Incorrectly addressing these items may cause a month's delay while you re-notice everyone.))) Take the certified return receipt mail **IN** to the post office for them to stamp your green and white certified receipt.
- The sign you are required to post on the property seeking the Variance or Special Use is a "Notice of Public Hearing" sign. This sign will need to be posted no less than 20 days prior to the date of the hearing but not including the day of the hearing. The day of the BZA hearing you may remove the sign and bring it with you to the meeting.
- Three days prior to the board meeting you are required to submit to the plan commission office the green and white certified receipts, the green return receipt cards from the adjacent property owners, and the proof-of-publication from the newspaper office certifying when the notice was published in the paper.
- Owners of the property, their attorney, or a representative with written power of attorney SHALL be present at the Board meeting "Hearing" concerning the Variance or Special Use petition. Please call the board office should an emergency arise.

If you have any questions, contact the Hamilton County Plan Commission/Board of Zoning Appeals Office, Charles Kiphart, Director, at One Hamilton County Square, Suite 306, Noblesville, IN 46060 or call (317) 776-8490.

VARIANCE APPLICATION
Hamilton County Board of Zoning Appeals

FOR OFFICE USE ONLY

Township

_____ Adams
_____ Noblesville
_____ Wayne
_____ White River

Type of Variance

_____ Land Use
_____ Ordinance Requirement

Parcel No. _____
Docket No. _____
Reviewed _____
By: _____
Hearing Date: _____
Decision Date: _____
Article: _____
Zoning: _____
Section _____ T _____ R _____
Property Size: _____

Project Address: _____

Property Owner's Name: _____ Phone: _____

Address: _____ Cell/Mobile: _____

Contact Person: _____ Phone: _____

Address: _____ Cell/Mobile: _____

Email address: _____

Variance Request: _____

Reason for Variance: _____

Hardship if variance is not approved: _____

Conditions offered: _____

Must Have Attached

_____ Site Location Map
_____ Certified List of Affected
_____ Property Owners
_____ Signed Legal Notice
_____ Site Plan, Photos, Drawings
_____ Elevations, Statements,
_____ Letters of Support, other
_____ Petitioner Findings

Signature of:

Owner(s): _____

Contact Person: _____

Attorney: _____

Date: _____

ONLY ORIGINAL APPLICATIONS ACCEPTED. DO NOT COPY OR REFORMAT.

PETITIONER'S FINDINGS

State reasons why you feel your request should be approved by the Board.

Provide 12 or 18 copies.

LEGAL NOTICE

BOARD OF ZONING APPEALS

The **Hamilton County Board of Zoning Appeals (North or South)** will meet on _____ at _____ in the *Hamilton County Government and Judicial Center, Hamilton County Council/Commissioners' Courtroom, One Hamilton County Square, Noblesville, Indiana* in order to hear the following petition:

DOCKET NO. _____

A _____ concerning Article _____ of the Hamilton County Zoning Ordinance No. 3-19-90 in order to _____

Project Address: _____

Legal Description Attached? (Yes or No)

The petition may be examined at the office of the *Hamilton County Plan Commission, One Hamilton County Square, Suite 306, Noblesville, Indiana*.

Interested parties may offer an oral opinion at the Hearing or may file written comments concerning the matter to be heard prior to or at the Hearing.

The Hearing may be continued from time to time as may be found necessary.

Petitioner's Name: _____ Date: _____

Petitioner's Presentation to Board Members

1. Please go to the podium and use the microphone in front of the Board members when your docket number is called.
2. Speak clearly and loudly without shouting.
3. State your name and current address for the record.
4. Explain in detail the variance you are requesting to the Board members.
5. Explain why you are requesting the variance.
6. Explain the hardship involved that causes you to need the variance you are requesting.

1. Explain in detail why the approval of your variance will not be injurious to the public health, safety, morals, and general welfare of the community.
2. Explain in detail that if the variance is approved that the property adjacent to the property where the variance is to be located will not be affected in a substantially adverse manner.
3. Explain in detail why the strict application of the requirements of the existing Zoning Ordinance would result in an unnecessary hardship in the use of the subject property.